

Enforcement Memorandum – CONFIDENTIAL

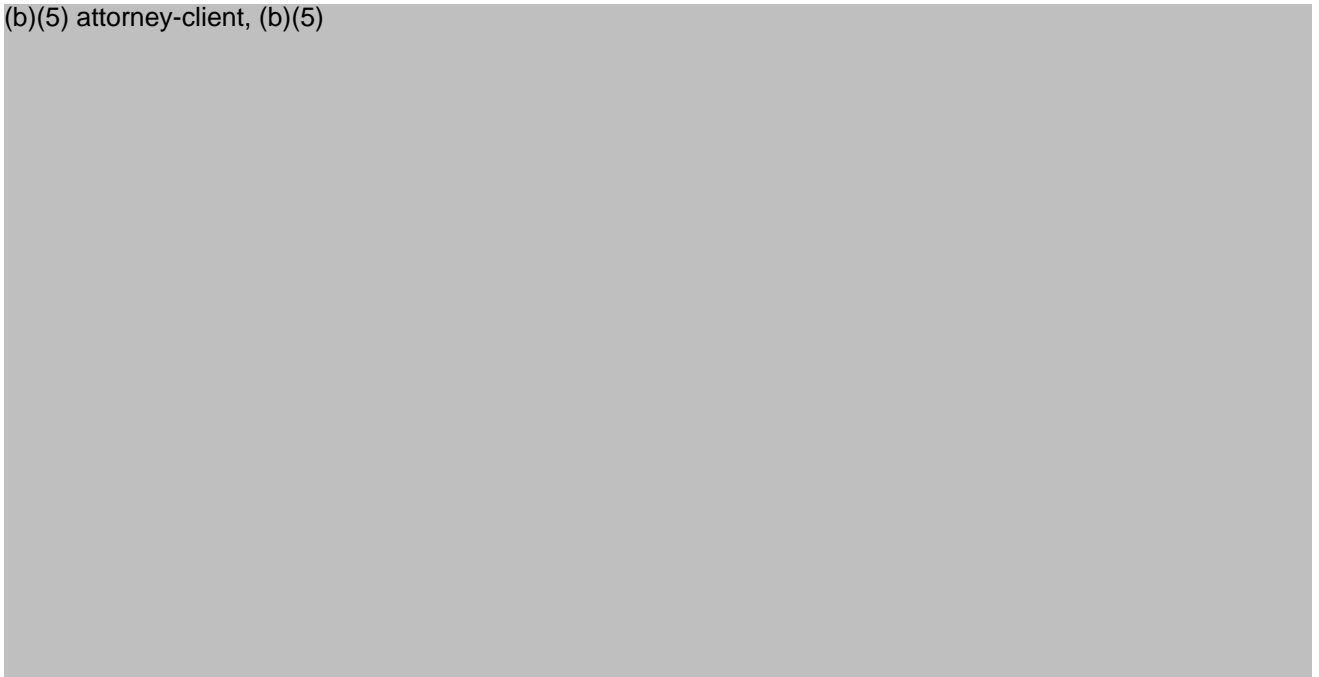
Former Kaiser Smelter Site
Settlement Agreement Under Section 122(h)(1) of CERCLA
Respondent: Spokane Recycling Company, LLC

Site Background

The Former Kaiser Smelter Site is a former aluminum smelter, and associated properties, located in Mead, Spokane County, Washington (“Site”). The Site includes three separate tax parcels. One parcel covers approximately 170 acres and includes the former aluminum smelter facility which contains dozens of large industrial buildings, a baghouse, administrative buildings, a network of stormwater catch basins, sumps, storage tanks, a rail spur, and other facility operational features. The former facility’s system of catch basins and storm sewers collect and divert stormwater through a half-mile long aqueduct flowing north from the facility to a pair of settling ponds, located on the second parcel, a 425-acre undeveloped parcel. At the northern end of the lower pond, a pipe transfers the water through a second aqueduct that runs approximately 1.25 miles to a third parcel where an effluent outfall discharges stormwater into Deadman Creek. Deadman Creek is a tributary of the Little Spokane River which flows into the Spokane River. The Site is contaminated with asbestos, polycyclic aromatic hydrocarbons (PAHs), and polychlorinated biphenyls (PCBs), and EPA has documented the migration of PCBs from the Site into Deadman Creek. Time-critical removal actions were selected in two Action Memoranda: one to address source material on the facility parcel; and one to address stormwater and the settling ponds on the undeveloped parcel. This Settlement Agreement addresses the facility parcel. EPA is negotiating a separate settlement agreement to address the undeveloped parcel.

EPA Determination – Ability to Pay Settlement Agreement

(b)(5) attorney-client, (b)(5)



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